

# Senate Study Bill 1250

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
COMMERCE BILL BY  
CHAIRPERSON WARNSTADT)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for the establishment of an abbreviated electric  
2 transmission franchise process, and providing an effective  
3 date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2355XC 83  
6 rn/nh/5

PAG LIN

1 1 Section 1. Section 478.1, Code 2009, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 5. Notwithstanding any other provision of  
1 4 this chapter, if an existing transmission line, wire, or cable  
1 5 is operating at thirty-four and one-half kilovolts, it may be  
1 6 franchised, rebuilt, and upgraded to be capable of operation  
1 7 at sixty-nine kilovolts using an abbreviated franchise process  
1 8 if the upgraded line will meet required safety standards, will  
1 9 be on substantially the same right-of-way, and will have  
1 10 substantially the same effect on the underlying properties.  
1 11 The abbreviated franchise process shall not require published  
1 12 notice or a public informational meeting. The board may adopt  
1 13 rules defining relevant terms, setting forth the steps of the  
1 14 abbreviated process, and specifying the requirements for the  
1 15 petition. The franchise may be granted if the board finds the  
1 16 upgraded line is necessary to serve a public use and  
1 17 represents a reasonable relationship to an overall plan of  
1 18 transmitting electricity in the public interest. The  
1 19 franchise shall not become effective until the petitioner has  
1 20 paid, or agreed to pay, all costs and expenses of the  
1 21 franchise proceeding specified in section 478.4.  
1 22 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 23 immediate importance, takes effect upon enactment.

### EXPLANATION

1 24 This bill establishes an expedited or abbreviated electric  
1 25 transmission franchise approval process under specified  
1 26 circumstances.  
1 27  
1 28 The bill provides that if an existing transmission line,  
1 29 wire, or cable is operating at 34.5 kilovolts, it may be  
1 30 franchised, rebuilt, and upgraded to 69 kilovolts using a  
1 31 franchise process which eliminates public notice and public  
1 32 informational meeting requirements otherwise applicable under  
1 33 Code chapter 478. Utilization of the expedited process is  
1 34 conditioned upon the upgraded line meeting required safety  
1 35 standards, being on substantially the same right-of-way, and  
2 1 having substantially the same effect on the underlying  
2 2 properties. The bill authorizes the utilities board of the  
2 3 utilities division of the department of commerce to adopt  
2 4 rules defining relevant terms, setting forth the steps of the  
2 5 abbreviated process, and specifying the requirements for the  
2 6 petition for franchise. The bill provides that the franchise  
2 7 may be granted if the board finds the upgraded line is  
2 8 necessary to serve a public use and represents a reasonable  
2 9 relationship to an overall plan of transmitting electricity in  
2 10 the public interest, and that it will not become effective  
2 11 until the petitioner has paid, or agreed to pay, all costs and  
2 12 expenses of the franchise proceeding.  
2 13 The bill takes effect upon enactment.  
2 14 LSB 2355XC 83  
2 15 rn/nh/5